

DEC-26-2007 11:19

US ATTORNEY

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**WAIVER OF SERVICE OF SUMMONS**

TO: PIERRE G. ARMAND  
Assistant United States Attorney  
86 Chambers Street, 3rd Floor  
New York, NY 10007  
Tel.: (212) 637-2724  
Fax: (212) 637-2730

Ka Che acknowledges receipt of your request that he waive service of a summons in the action of *United States v. Deluxe Food Market, Inc. and Ka Che*, which is case number 07 Civ. \_\_\_\_ (\_\_\_\_) in the United States District Court for the Southern District of New York. Ka Che also has received a copy of the complaint in the action, two copies of this instrument, and a means by which he can return the signed waiver to you without cost to me.

Ka Che agrees to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that he be served with judicial process in the manner provided by Rule 4.

Ka Che will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

Ka Che understands that a judgment may be entered against him if an answer or motion under Rule 12 is not served upon you within 60 days after November \_\_, 2007.

Dated: 12/30/07, 2007.

  
Signature

Ka Che  
Typed or Printed Name of Ka Che or  
Attorney for Ka Che